

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD REFERRAL 08L-19
 Republican Party of Minnesota and)
 Anthony G. Sutton, in his official)
 capacity as treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary of the Federal Election Commission executive session, do hereby certify that on December 02, 2008, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to pass a motion to:
 - a) Open a Matter Under Review with respect to RR 08L-19 and merge the new MUR into MUR 5926.
 - b) Find reason to believe that the Republican Party of Minnesota and Anthony G. Sutton, in his official capacity as treasurer, violated 2 U.S.C. §§ 434(b), 441b(a), and 441a(f), and 11 CFR §§ 102.5(a) and 106.7(f).
 - c) Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated August 13, 2008.
 - d) Authorize an enforcement audit pursuant to 2 U.S.C. § 437g
 - e) Approve the appropriate letter.

Commissioners Bauerly, Walther, and Weintraub voted affirmatively for the motion. Commissioners Hunter, McGahn II, and Petersen dissented.

2. Decided by a vote of 6-0 to:
 - a) Open a Matter Under Review with respect to RR 08L-19 and merge the new MUR into MUR 5926.

MUR # 6146

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- b) Find reason to believe that the Republican Party of Minnesota and Anthony G. Sutton, in his official capacity as treasurer, violated 2 U.S.C. §§ 441b(a) and 441a(f), and 11 CFR §§ 102.5(a) and 106.7(f).
- c) Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated August 13, 2008; subject to revision pursuant to the meeting discussion and any necessary technical and conforming amendments.
- d) Authorize an enforcement audit pursuant to 2 U.S.C. § 437g
- e) Approve the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub
voted affirmatively for the decision.

Attest:

December 8, 2008
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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